



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James R. Patterson
Serial No.: 09/747,852
Filed: December 22, 2000
For: Magnetic Plumb Bob Holder

October 26, 2005
Group Art Unit 2859
Examiner: Travis M. Reis

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The examiner provided the following statement of reasons for allowance: "With reference to claim 1, the prior art of record does not disclose or clearly suggest a tool for inspecting and gauging the accuracy of an installed steel door frame structure having means for gauging the true status of a frame in relation to three dimensional space and the tool having means for storing the plumb bob within the tool, in combination with the remaining limitations in the claims.

With reference to claims 6-16, the prior art of record does not disclose or clearly suggest a tool for inspecting the accuracy of installed frames comprising a first and second flange extending from the base spaced apart from each other, wherein the tool cooperates with a plumb bob and a string received in the aperture to gauge the accuracy and the true status of an installed door in relation to three dimensional space, in combination with the remaining limitations in the claims.

Furthermore, it should be noted with respect to claims 6-16 that the plumb bob and string breath life and meaning to the claims and thus give patentable weight."

With regard to the Examiner's comments noted above, the art does not disclose or suggest a tool having the structural limitations of the claims. It is those structural features which give patentability to the claimed invention. While the plumb bob and string recited in claims 6 through 16 provide the environment in which the claimed tool may be used, they are not positive structural elements for those claims. Claims 6 through 16 are clearly differentiated from claim 1 in this regard.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 26, 2005.



Edward H. Renner